

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ATHENS DIVISION**

|                                    |   |                                       |
|------------------------------------|---|---------------------------------------|
| <b>JAMES EARL HILL, JR.,</b>       | : |                                       |
|                                    | : |                                       |
| <b>Plaintiff,</b>                  | : |                                       |
|                                    | : | <b>Case No. 3:23-CV-00137-CDL-CHW</b> |
| <b>v.</b>                          | : |                                       |
|                                    | : |                                       |
| <b>ATHENS -CLARKE COUNTY JAIL,</b> | : |                                       |
| <b>Sheriff JOHN Q. WILLIAMS,</b>   | : |                                       |
|                                    | : |                                       |
| <b>Defendants.</b>                 | : |                                       |

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**ORDER**

*Pro se* Plaintiff James Earl Hill, Jr., an inmate confined in the Athens-Clarke County Jail in Athens, Georgia filed this 42 U.S.C. § 1983 complaint. ECF No. 1. Plaintiff requested leave to proceed *in forma pauperis*. ECF No. 2. On January 4, 2024, the Court granted Plaintiff’s motion to proceed *in forma pauperis* and ordered Plaintiff to pay an initial partial filing fee of \$6.00. ECF No. 4. Plaintiff was further ordered to recast his complaint and provided with instructions on how to do so. *Id.* Lastly, Plaintiff was instructed that he “must also immediately inform the Court in writing of any change in his mailing address”. *Id.* at 12. Plaintiff was given fourteen days to act upon the Court’s order. *Id.* He was informed that failure to comply with an order of the Court may result in dismissal. *Id.* Plaintiff failed to pay the initial partial filing fee or recast his complaint as ordered.

Therefore, on February 1, 2024, the Court notified Plaintiff that it had not received a response to the Court’s order and Plaintiff was ordered to show cause why this action

should not be dismissed for failure to comply with an order of the Court. *Id.* The Court specifically informed Plaintiff that this action would be dismissed if he failed to respond or otherwise pay the filing fee and file his recast complaint. *Id.* Plaintiff was given fourteen (14) days to respond. *Id.* Plaintiff has again failed to respond and mail sent to the Plaintiff has been returned to the Court. *See* ECF No. 6.

Due to Plaintiff's failure to follow the Court's Orders, failure to keep the Court informed of his address, and failure to prosecute this action, the case is hereby **DISMISSED WITHOUT PREJUDICE**. Fed. R. Civ. P. 41(b); *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) (citing Fed. R. Civ. P. 41(b) and *Lopez v. Aransas Cty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)) ("The court may dismiss an action sua sponte under Rule 41(b) for failure to prosecute or failure to obey a court order.").

**SO ORDERED**, this 21st day of February, 2024.

S/Clay D. Land

CLAY D. LAND

U.S. DISTRICT COURT JUDGE

MIDDLE DISTRICT OF GEORGIA